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PTO/SB/30 (09-04)

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**Request  
for  
Continued Examination (RCE)  
Transmittal**Address to:  
Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Application Number	09/902,176
Filing Date	July 10, 2001
First Named Inventor	Stefan Schreiber
Art Unit	1634
Examiner Name	Sally A. Sakelaris
Attorney Docket Number	25481-P001X1

**This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.**

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).
- a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
- i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
- ii. ☐ Other \_\_\_\_\_
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- iii. ☒ Information Disclosure Statement (IDS)
- ii. ☒ Affidavit(s)/ Declaration(s)
- iv. ☐ Other \_\_\_\_\_
2. **Miscellaneous**
- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
- b. ☐ Other \_\_\_\_\_
3. **Fees** The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.
- The Director is hereby authorized to charge the following fees, or credit any overpayments, to
- a. ☐ Deposit Account No. \_\_\_\_\_. I have enclosed a duplicate copy of this sheet.
- i. ☒ RCE fee required under 37 CFR 1.17(e) 12/16/2004 AWONDAF1 00000080 09902176
- ii. ☒ Extension of time fee (37 CFR 1.136 and 1.17) 01 FC:2801 395.00 OP
- iii. ☐ Other \_\_\_\_\_
- b. ☒ Check in the amount of \$ 395; \$510 enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.****SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Signature	Melissa D. Schwaller	Date	December 14, 2004
Name (Print/Type)	Melissa D. Schwaller	Registration No.	46,089

**CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Signature		Date	
Name (Print/Type)			

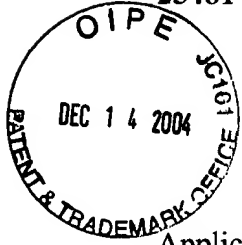
This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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ATTORNEY DOCKET NO  
25481-P001US

PATENT  
U.S. Ser. No. 09/902,176



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Stefan Schreiber et al.

Serial No.: 09/902,176

Filed: July 10, 2001

Title: DIAGNOSTIC USE OF POLYMORPHISMS IN THE GENE CODING FOR THE TNF  
RECEPTOR II AND METHODS FOR DETECTING NON-RESPONDERS TO  
ANTI-TNF THERAPY

Confirm No.: 7507

Art Unit: 1634

Examiner: Sally A. Sakelaris

**Mail Stop: RCE**  
Commissioner For Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Sirs:

**AMENDMENT AND RESPONSE TO OFFICE ACTION ACCOMPANYING REQUEST  
FOR CONTINUED EXAMINATION (RCE) UNDER 37 C.F.R. § 1.114**

Concurrent with this Amendment, Applicant has filed a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 in the present Application. This Request is in response to the Final Official Action mailed on June 14, 2004 (with a three-month shortened period for response set to expire on September 14, 2004) and the Examiner Interview held October 26, 2004. As said period has expired, accompanying this Request is a petition, under 37

C.F.R. § 1.136, for a three-month extension of time and the necessary fee, as set forth in 37 C.F.R. § 1.17(a).

Please amend the above-identified Application as follows:

**Amendments to the Claims** are reflected in the listing of claims, which begin on Page 3 of this paper.

**Remarks/Arguments** begin on Page 4 of this paper.